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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/051,081	01/22/2002	Eiichiro Kitagawa	03560.002981	3430

5514 7590 03/09/2007  
FITZPATRICK CELLA HARPER & SCINTO  
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NEW YORK, NY 10112

EXAMINER
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PHAM, CHRYSTINE

ART UNIT	PAPER NUMBER
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2192

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/051,081	<b>Applicant(s)</b> KITAGAWA, EIICHIRO	
	<b>Examiner</b> Chrystine Pham	<b>Art Unit</b> 2192	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 December 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 3-6, 8-16, 19, 20, 22-25 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-6, 8-16, 19, 20, 22-25 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 11, 2006 has been entered.
2. This action is responsive to Amendments filed December 11, 2006. Claims 3, 12, 22 and 25 have been amended. Claims 1-2, 7, 17-18, 21, 26, 28-29 have been canceled. Claims 3-6, 8-16, 19-20, 22-25 and 27 are presented for examination.

### *Response to Arguments*

3. Applicant's arguments filed December 11, 2006 have been fully considered but they are not persuasive.

First, it should be noted that although at least the independent claims 1 and 22 recite new limitation "deleting the **menu screen**" when the medium is unloaded, this limitation is not supported by the Specification. Instead, what gets deleted upon detection of the unloading is an "execution **option**" that is **part of the menu screen** (Specification, paragraph [0075]). As such, the limitation "menu screen" can at most be interpreted, as an option, which is part of the

menu screen. As established in the previous Office Action (page 11), Foster teaches when the portable information storage medium is unloaded after the software is terminated (i.e., user selects termination of execution of the software in the user-input accepting state), said software management unit performs a process for deleting the option for reactivating the software (i.e., software management unit performs a process for terminating execution of the software) from the menu screen so that reactivation of the software cannot be performed in response to input from a user (e.g., col.2:5-15; see 412, 414, 416 FIG.4 & associated text; see 118 FIG.1B & associated text).

Other arguments have been fully considered but they are not persuasive. Applicant essentially contends that “Donohue fails to **detect unloading** of... medium and fails to **delete software upon such detection...**” (Remarks, page 15, first paragraph)(Emphasis added). However, it is respectfully submitted that Donohue is not relied upon to teach these limitations. Instead, as established in the previous Office Action (pages 4-5), it is the combined teachings of Donohue, Redford and Shih that teach these limitations. Similarly, Applicant contends that “Donohue fails to ... **display a menu screen instructing to restart the software...**” (Remarks, page 15, first paragraph)(Emphasis added). However, it is respectfully submitted that Donohue is not relied upon to teach this limitation. Instead, as established in the previous Office Action (page 11), Foster was relied upon to teach this limitation. Thus, in response to Applicant’s piecemeal analysis

of these references, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 3-6, 8-16, 19-20, 22-25 and 27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

**Claim 3**

Claim 3 recites "a deleting unit that deletes the **menu screen** ..." on lines 31-33.

However, this limitation is not supported by the Specification. Rather, the Specification only discloses deleting an "execution **option**" that is **part** of the **menu screen** upon detection of the unloading (Specification, paragraph [0075]).

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**Claim 22**

Claim 22 recites "a deleting unit that deletes the **menu screen ...**" on lines 31-33.

However, this limitation is not supported by the specification. Rather, the Specification only discloses deleting an "execution **option**" that is **part** of the **menu screen** upon detection of the unloading (Specification, paragraph [0075]).

**Claims 4-6, 8-16, 19-20, 23-25 and 27**

These claims are also rejected as being dependent on rejected base claims 3 and 22.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-6, 8-11, 14-16 and 19-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Donohue (US 6,199,204 B1) in view of Redford et al (US 5,711,672 A, "Redford") of record in view of Shih et al. (US 6,405,362 B1, "Shih") further in view of Foster et al. (US 6,121,967, "Foster").

**Claim 3**

*Donohue* teaches an information processing device (see at least 10 FIG.1 & associated text) comprising:

- a communication unit that communicates with a server via a network (see at least 10, 100, 50, 50' FIGs.1,3 & associated text;);
- a portable-information-storage-medium connection unit (i.e., connection step) to which a portable information storage medium is connectable, wherein the portable information storage medium stores information identifying (i.e., identification information of the software AND location information representing a location on the network at which the *identified* software is stored) software to be acquired via a network from a server, and has a low capacity for storing the information without storing the software (see at least 20 FIGs.1,3 & associated text; *updater component 20, diskette, CD col.6:3-10; updater component, install time col.8:25-31*);
- a reading unit that reads, from the portable information storage medium, the information identifying the software in the storage medium (see at least 20 FIGs.1,3 & associated text; *updater component 20, diskette, CD col.6:3-10; updater component, install time col.8:25-31*)
- a sending unit adapted to send the information identifying the software, to be acquired read by the reading unit to the server through the communication unit (see at least 20, 90, 220, 340, 220' FIG.3a & associated text; 300-320 FIG.4B & associated text)

- an information transfer unit (i.e., information transfer step) that automatically downloads, from the server, the software identified by the information identifying the software to be acquired by the sending unit via the network into an internal storage medium of the information processing device (see at least 350 FIG.4B & associated text)
- software storage unit that stores the downloaded software into a software storage area of the internal storage medium (see at least 250, 290 FIG.4A & associated text; 40 FIGs.1,3 & associated text);
- a software management unit (i.e., software management step) that manages the software stored in the software storage area of the internal storage medium (see at least 20 FIGs.1,3 & associated text);
- an estimation unit that estimates whether the software identified by the information identifying the software to be acquired read by the reading unit is already stored into the software storage area of the internal storage medium (see at least 290 FIG.4B & associated text; 250 FIG.4A & associated text);
- a sending unit that sends version information of the software stored in the internal storage medium to the server when it is estimated by the estimation unit that the software is already stored into the software storage area (see at least col.3:50-col.4:54);
- wherein the software management unit starts the software stored into the software storage area when a version of the software in the server and the



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version of the software stored into the software storage area are identical (see at least 30, 20 FIG.1 & associated text; col.4:14-22); and

- the storage management unit downloads a new software version from the server via the information transfer unit and starts the software based on the version information transferred by the information transfer unit (see at least col.3:50-col.4:54).

*Donohue* does not expressly disclose an unloading detecting unit adapted to detect an unload of the portable information storage medium. However, *Redford* discloses system and method of detecting the insertion and removal of the portable information storage medium containing identification information for applications to be executed (see at least col.1:60-col.2:3; col.2:60-col.3:37) and an unloading detecting unit adapted to detect an unload of the portable information storage medium (see at least *removable storage media, peripheral, autostart driver, application Abstract; removable storage media, peripheral, started process, removal, inserted storage media* col.1:60-col.2:3; col.2:65-col.3:20; col.4:10-25; *applications, host device's permanently installed storage media* col.5:35-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of *Redford* into that of *Donohue* for the inclusion of an unloading detecting unit. And the motivation for doing so would have been to facilitate automatic freeing of the random access memory that were used by the executed software and to protect the device from going into an undesirable or unknown

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state when the portable medium is prematurely removed (see *Redford* Abstract; col.2:60-65).

*Donohue* as modified by *Redford* does not expressly disclose a deleting unit adapted to delete the software stored into the software storage area when the unload is detected by the unloading detecting unit. However, *Shih et al.* teach a system and method of detecting removal or disconnection of the portable information storage medium from the connecting unit (e.g., see *Compact Flash memory card, software, removed* col.3:5-20; see 28, 30, 29, 31 FIG.1 & associated text; see col.4:55-60) wherein when the portable information storage medium is disconnected from said portable-information-storage-medium connecting unit, said software management unit performs a deletion process for deleting the software stored in the software storage area (e.g., see *cleaning up, releasing resources* col.3:5-25; col.6:30-55; see *removal message, application 220* col.7:19-30; col.7:60-67). *Donohue* and *Shih et al.* are analogous art because they are both directed to software installation. It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Shih et al.* into that of *Donohue* for the inclusion of deletion process (i.e., deleting unit) upon disconnection of portable storage medium. And the motivation for doing so would have been to reduce potential application or system crashes caused by referencing memory on the portable storage medium which has been disconnected and to further free up memory for use by other applications and programs.

Donohue does not expressly disclose “a menu display unit that displays a menu screen to instruct restarting of the software when the software stored in the software storage area closes after starting up and a deleting unit that deletes the menu screen displayed by the menu display unit in a condition where the software is stored into the software storage area when the unload is detected by the unloading detecting unit”. However, Foster teaches when the software is terminated while the portable information storage medium is being loaded into said portable-information-storage-medium connecting unit, said software management unit displays, on a menu screen, an option for reactivating the software so that the software can be reactivated by input from a user (e.g., see 410, 412, 418 FIG.4 & associated text; see 114, 116 FIG.1B & associated text) and when the portable information storage medium is unloaded after the software is terminated (i.e., user selects termination of execution of the software in the user-input accepting state), said software management unit performs a process for deleting the option for reactivating the software (i.e., software management unit performs a process for terminating execution of the software) from the menu screen so that reactivation of the software cannot be performed in response to input from a user (e.g., col.2:5-15; see 412, 414, 416 FIG.4 & associated text; see 118 FIG.1B & associated text). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Foster* into that of *Donohue* for the inclusion of medium-unloading warning process, for warning a user by interrupting execution of the software downloaded into the storage medium, and a user-input

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accepting process, for activating a user-input accepting state after the medium-unloading warning process is performed. And the motivation for doing so would have been to encourage the user against incorrect removal of portable medium, thus preventing data loss/corruption (see at least *Foster* col.1:25-col.2:15).

**Claim 4**

The rejection of base claim 3 is incorporated. *Donohue* further teaches wherein from the information identifying the software read from the portable information storage medium, software identification information and location information of a location on the network of the software are extracted and managed by said software management unit (see at least *updater component, locations, network, required software resources* col.3:col.50-col.4:45).

**Claim 5**

The rejection of base claim 4 is incorporated. *Donohue* further teaches wherein based on an instruction from said software management unit, said information transfer unit accesses the server by using the location information, and downloads, into the internal storage medium, software represented by the software identification information (see at least *updater component, locations, network, required software resources* col.3:col.50-col.4:45).

**Claim 6**

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The rejection of base claim 3 is incorporated. *Donohue* does not expressly disclose wherein said software management unit performs a software activating process for executing the software stored in the software storage area. However, this feature is deemed inherent in the teaching of *Donohue* wherein software is downloaded and installed from a network server into an end-user's computer. It is inconceivable that the end-user's computer does not have the means (i.e., software management unit performing software activating process) for executing the software after it has taken all the necessary steps to download and install the software in the software storage area.

**Claim 8**

The rejection of base claim 3 is incorporated. *Donohue* (as modified by *Redford* and *Shih*) does not expressly disclose wherein, when the portable information storage medium is disconnected from said portable-information-storage-medium connecting unit while the software downloaded into the storage medium is being executed, said software management unit performs a medium-unloading warning process, for warning a user by interrupting execution of the software downloaded into the storage medium, and a user-input accepting process, for activating a user-input accepting state after the medium-unloading warning process is performed. However, *Foster* teaches wherein, when the portable information storage medium (e.g., see *floppy disk*, *floppy drive* col.4:45-55; see *devices*, *media bays* col.5:1-10) is disconnected from said portable-information-storage-medium connecting unit while the software stored in the software storage area is being executed, said software management unit performs a medium-

unloading warning process, for warning a user by interrupting execution of the software stored in the software storage area (e.g., see *halt processing, removed a "locked" media bay device* col.2:1:15), and a user-input accepting process (i.e., user selects termination or restarting execution of software), for activating a user-input accepting state after the medium-unloading warning process is performed (e.g., see *reinsertion* col.2:5-15; see 412 FIG.4 & associated text; col.8:60-col.9:25). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Foster* into that of *Donohue* for the inclusion of medium-unloading warning process, for warning a user by interrupting execution of the software downloaded into the storage medium, and a user-input accepting process, for activating a user-input accepting state after the medium-unloading warning process is performed. And the motivation for doing so would have been to encourage the user against incorrect removal of portable medium, thus preventing data loss/corruption (see at least *Foster* col.1:25-col.2:15).

### **Claim 9**

The rejection of base claim 8 is incorporated. *Foster et al.* further teach wherein, when the portable information storage medium is connected again after the medium-unloading warning process is performed, said software management unit performs an execution restarting process for restarting execution of the software (e.g., col.9:15-25).

### **Claims 10-11**

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Claims recite limitations, which have been addressed in claims 3 and 8, therefore, are rejected for the same reasons as cited in claims 3 and 8.

#### **Claim 14**

The rejection of base claim 4 is incorporated. *Donohue* further teaches wherein, when software represented by the software identification information is not downloaded into the internal storage medium, said software management unit executes a process for downloading the software into the internal storage medium (see at least FIGs.3,4A-B & associated text; *pre-requisite software, required resources* col.8:25-col.10:35).

#### **Claim 15**

The rejection of base claim 14 is incorporated. Claim recites limitations, which have been addressed in claim 6, therefore, is rejected for the same reasons as cited in claim 6.

#### **Claim 16**

The rejection of base claim 4 is incorporated. *Donohue* further teaches wherein;

- when software represented by the software identification information is downloaded into the internal storage medium, said software management unit performs a process for comparing a version of software stored in the server and a version of software stored in the storage medium (see at least 230-260 FIG.4A & associated text);

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- said software management unit performs a process for initiating execution of the software in the internal storage medium when both versions match each other (see at least 230-260 FIG.4A & associated text); and
- when the version of the software stored in the server is newer than the version in the internal storage medium, said software management unit performs a process that, after downloading the software from the server into the storage medium, initiates execution of the downloaded software (see at least 230-260 FIG.4A & associated text; 300-310 FIG.4B & associated text).

#### **Claim 19**

The rejection of base claim 8 is incorporated. Claim recites limitations, which have been addressed in claim 17, therefore, is rejected for the same reasons as cited in claim 17.

#### **Claim 20**

The rejection of base claim 3 is incorporated. Claim recites limitations, which have been addressed in claims 3 and 8, therefore, is rejected for the same reasons as cited in claims 3 and 8.

#### **Claim 22**



Claim recites an information processing method comprising the steps performed by the units addressed in claim 3, therefore, is rejected for the same reasons as cited in claim 3.

### **Claim 23**

*Donohue* teaches computer-readable storage medium (see at least 20 FIGs.1,3 & associated text) storing a program for controlling a computer to execute an information processing method as set forth in claim 22.

### **Claims 24, 25**

Claims recite limitations which have been addressed in claim 3, therefore, are rejected for the same reasons cited in claim 3.

### **Claim 27**

The rejection of base claim 22 is incorporated. *Donohue* does not expressly disclose when the portable information storage medium is disconnected while the software downloaded into the internal storage medium is being executed, said software management step performs an interruption process for interrupting execution of the software downloaded into the internal storage medium. However, *Redford* discloses when the portable information storage medium is disconnected while the software downloaded into the internal storage medium is being executed, said software management step performs an interruption process for interrupting execution of the

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software downloaded into the internal storage medium (see at least *removable storage media, peripheral, autostart driver, application* Abstract; *removable storage media, peripheral, started process, removal, inserted storage media* col.1:60-col.2:3; col.2:65-col.3:20; col.4:10-25; *applications, host device's permanently installed storage media* col.5:35-67). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of *Redford* into that of *Donohue* for the inclusion of interrupting execution of the software when the portable medium is removed. And the motivation for doing so would have been to facilitate automatic freeing of the random access memory that were used by the executed software and to protect the device from going into an undesirable or unknown state when the portable medium is prematurely removed (see *Redford* Abstract; col.2:60-65).

8. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Donohue* in view of *Redford* in view of *Shih* further in view of *Srinivasan* (US 6,460,076 B1) of record.

### Claim 12

The rejection of base claim 3 is incorporated. *Donohue* further teaches wherein:

- o the internal storage medium includes a nonvolatile memory (i.e., internal storage) (see at least 40 FIGs.1,3 & associated text). *Donohue* does not expressly disclose a volatile memory. However, this feature is deemed inherent in the teaching of *Donohue* wherein the end-user computer downloads, and installs

executable software programs/applications. At the time of applicant's invention, it is well known in the art that volatile memory (i.e., RAM) can be read from and written to and is therefore used for storing application programs and data that can be manipulated and changed. Thus, volatile memory is utilized by the computer's CPU during program execution, and is inherent in the teaching of *Donohue*. *Donohue* does not expressly disclose said software management unit stores a device identification in the nonvolatile memory (i.e., internal storage). However, this feature is deemed inherent in the teaching of *Donohue* because it is inconceivable that a computer operating system functions without maintaining the knowledge and information of the device or hardware (i.e., device identification) it is operating on. Furthermore, it is inconceivable that such device identification should be saved in (i.e., written to) a volatile memory where it can be lost due to system power outage as opposed to a nonvolatile memory where it can later be retrieved for processing during system re/booting. *Donohue* does not expressly disclose storing user information in internal storage and device identification and user information are written to the portable information storage medium. *Donohue* does not expressly disclose when the device identification and the user information are not written, said software management unit writes the device identification and the user information into the portable information storage medium. However, *Srinivasan* teaches an apparatus and method providing for the downloading software from a network server to a user computer wherein user information is provided (e.g., see

*authentication, verification* col.4:20-40) and software (i.e., data or information) is recorded (i.e., written to) in portable media (e.g., see Abstract; see *VERIFY THAT MEDIA RECORDER IS READY, DOWNLOAD FILE TO MEMORY IN USER INTERFACE, TRANSFER FILE TO MEDIA RECORDER* FIG.3 & associated text; see *network, downloadable software, portable media* col.1:60-col.2:36). *Donohue* and *Srinivasan* are analogous art because they are both directed to method of downloading software from a network server (i.e., terminal). It would have been obvious to one of ordinary skill in the pertinent art at the time the invention was made to incorporate the teaching of *Srinivasan* into that of *Donohue* for the inclusion of storing user information in internal storage, and writing information (i.e., device identification and user information) to the portable storage medium. And the motivation for doing so would have been to provide portability or mobility for these information, enabling access to these information when the portable storage medium is loaded on and read by a different device for downloading software or replicating the information to other portable or non-portable storage media through use of the device.

### **Claim 13**

The rejection of base claim 12 is incorporated. *Donohue* (as modified by *Redford* and *Shih*) further teaches wherein, after the portable information storage medium is connected to said portable-information-storage-medium connection unit, said software management unit examines whether or not the device identification and the user

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information are written in the portable information storage medium, and, when the device identification and the user information are written, and said software management unit finds, by comparing a device identification stored internally in said information processing device and the device identification written in the portable information storage medium, identity between both device identifications, said software management unit initiates accessing of the server terminal (see at least FIGs.4A-B & associated text).

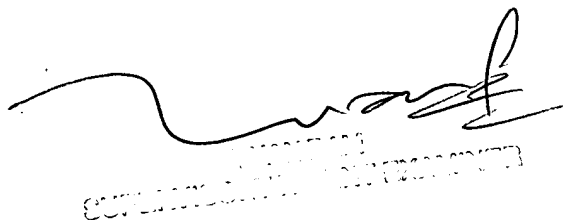
### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chrystine Pham whose telephone number is 571-272-3702. The examiner can normally be reached on Mon-Fri, 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam can be reached on 571-272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "W. A. Smith", is written over a faint, rectangular stamp. The stamp contains text that is mostly illegible but appears to include "RECEIVED" and "JAN 12 2007".